General Assembly

Distr.: General
28 February 2001

Fifty-fifth session
Agenda item 114 (*b*)

Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/55/602/Add.2 and Corr.1)*]

55/95. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[1] and the International Covenants on Human Rights,[2]

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[3] including part III thereof, relating to human rights,

Recalling also its resolution 54/171 of 17 December 1999, taking note of Commission on Human Rights resolution 2000/79 of 26 April 2000,[4] and recalling further previous relevant resolutions,

Recognizing that the tragic history of Cambodia requires special measures to ensure the protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the international community continue to respond positively to assist efforts to investigate the tragic history of Cambodia, including responsibility for past international crimes, such as acts of genocide and crimes against humanity during the regime of Democratic Kampuchea from 1975 to 1979,

Bearing in mind the request made in June 1997 by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, the letter dated 15 March 1999 from the Secretary-General to the President of the General Assembly and the President of the Security Council[5] and the report of the Group of Experts appointed by the Secretary-General annexed thereto, and the discussions held between the Government of Cambodia and the

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] A/46/608-S/23177.
[4] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.
[5] A/53/850-S/1999/231.

United Nations Secretariat on standards and procedures for bringing to justice the Khmer Rouge leaders most responsible for the most serious violations of human rights in the years 1975-1979,

Recognizing the legitimate concern of the Government and people of Cambodia in the pursuit of internationally accepted principles of justice and of national reconciliation,

Recognizing also that accountability of individual perpetrators of grave human rights violations is one of the central elements of any effective remedy for victims of human rights violations and a key factor in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability within a State,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning of the operational presence in Cambodia of the Office of the United Nations High Commissioner for Human Rights and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Takes note with appreciation* of the report of the Secretary-General concerning the situation of human rights in Cambodia;[6]

3. *Requests* the Government of Cambodia and the office in Cambodia of the High Commissioner to exchange the memorandum of understanding for the extension of the mandate of the office after March 2000, and encourages the Government of Cambodia to continue to cooperate with the office;

4. *Commends and expresses its deep appreciation* for the work of the former Special Representative of the Secretary-General for human rights in Cambodia, Thomas Hammarberg, in promoting and protecting human rights in Cambodia;

5. *Welcomes* the appointment by the Secretary-General of Peter Leuprecht as his new Special Representative for human rights in Cambodia, and requests the Special Representative, in collaboration with the Office of the High Commissioner, to continue the work of his predecessors by evaluating the extent to which the recommendations in his forthcoming reports, and those contained in the reports of his predecessors, are followed up and implemented, while maintaining contact with the Government and people of Cambodia;

6. *Notes with concern* the continued problems related to the rule of law and the functioning of the judiciary, including interference by the executive with the independence of the judiciary, inter alia, through rearrests, and welcomes statements by the Government committing itself to judicial reform, the work currently being done to prepare the laws and codes that are essential components of the basic legal framework, meetings of the Supreme Council of Magistracy and the establishment of the Council of Judicial Reform;

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[6] A/55/291.

7. *Urges* the Government of Cambodia to continue to take the necessary measures to develop an independent, impartial and effective judicial system, including through the early adoption of the draft statute on magistrates, a penal code and a code on criminal procedures, and the reform of the administration of justice, and appeals to the international community to assist the Government to this end;

8. *Welcomes* the draft governance action plan prepared by the Government of Cambodia, encourages the early adoption and implementation thereof, and appeals to the international community to assist the Government in its efforts to implement the plan;

9. *Commends* the initial efforts of the Government of Cambodia with regard to the review and the stated commitment to the downsizing of the police and the military, urges the Government to take further measures to carry out effective reform aimed towards professional and impartial police and military forces, and invites the international community to continue to assist the Government to this end;

10. *Recognizes* the importance of human rights education and training in Cambodia, commends the efforts of the Government of Cambodia, the Office of the High Commissioner and civil society in this field, encourages further strengthening and wider dissemination of these programmes, and invites the international community to continue to assist these efforts;

11. *Commends* the vital and valuable role played by non-governmental organizations in Cambodia, inter alia, in the development of civil society, and encourages the Government of Cambodia to continue to work closely and cooperatively with non-governmental organizations in efforts to strengthen and uphold human rights in Cambodia;

12. *Notes with interest* the activities undertaken by the governmental Cambodian Human Rights Committee, the National Assembly Commission on Human Rights and Reception of Complaints and the Senate Commission on Human Rights and Reception of Complaints, and welcomes preliminary efforts to establish an independent national human rights commission, which should be based on the principles relating to the status of national institutions for the promotion and protection of human rights, known as the Paris principles,[7] and requests the Office of the High Commissioner to continue to provide advice and technical assistance in these efforts;

13. *Expresses grave concern* about continued violations of human rights, including torture, extrajudicial killings, excessive pre-trial detention, violation of labour rights, illegal confiscation of land and forced relocation, as well as the apparent lack of protection from mob killings, as detailed in the report of the Special Representative to the Commission on Human Rights at its fifty-sixth session,[8] and notes some progress made by the Government of Cambodia in addressing these issues;

14. *Expresses serious concern* about the continued prevalence of impunity in Cambodia, commends the initial commitment and efforts of the Government of Cambodia to tackle this question, and calls upon the Government to take further measures, as a matter of critical priority, to investigate urgently and prosecute, in

[7] See resolution 48/134, annex.
[8] E/CN.4/2000/109.

accordance with due process of law and international human rights standards, all those who have perpetrated violations of human rights;

15. *Welcomes* the investigations into some cases of politically motivated violence, while remaining concerned at the continued reports of politically motivated violence and intimidation, and urges the Government of Cambodia to undertake further investigations in line with its stated commitments and to take appropriate measures to prevent politically motivated violence and intimidation in the future;

16. *Also welcomes* the commitment and efforts made by the Government of Cambodia with respect to tackling the question of human rights violations, and notes with interest the investigations undertaken by the governmental Cambodian Human Rights Committee and by the national police in order to bring to justice those responsible for such violations and to ensure security of persons and rights of association, assembly and expression;

17. *Reaffirms* that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, welcomes the final collapse of the Khmer Rouge, which has paved the way for the restoration of peace, stability and national reconciliation in Cambodia and the investigation and prosecution of the leaders of the Khmer Rouge, and notes with interest the progress made by the Government of Cambodia in bringing to justice the Khmer Rouge leaders most responsible for the most serious violations of human rights;

18. *Welcomes* the successful conclusion of the talks between the Government of Cambodia and the United Nations Secretariat on the question of the trial of the Khmer Rouge leaders who are most responsible for the most serious violations of human rights, appeals strongly to the Government to ensure, including by facilitating the expedited completion of the necessary legislative process as soon as possible, that those Khmer Rouge leaders are brought to account in accordance with international standards of justice, fairness and due process of law, encourages the Government to continue to cooperate with the United Nations on this issue, and welcomes the efforts of the Secretariat and the international community in assisting the Government to this end;

19. *Takes note with interest* of the signing by Cambodia of the Rome Statute of the International Criminal Court;[9]

20. *Reaffirms* the importance of the upcoming communal elections being conducted in a free and fair manner, takes note with interest of the draft legislation for preparing for communal elections, and urges the Government of Cambodia to continue to prepare for them accordingly;

21. *Welcomes* the initial progress made under the five-year action plan by the Government of Cambodia, in particular by the Ministry of Women's and Veteran's Affairs, to improve the status of women, and urges the Government to continue to take appropriate measures to eliminate all forms of discrimination against women, to combat violence against women in all its forms, including grave violations of the rights of women perpetrated by elements of law enforcement and armed forces personnel, and to take all steps to meet its obligations as a party to the Convention on the Elimination of All Forms of Discrimination against Women,[10] including by seeking technical assistance;

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[9] A/CONF.183/9.

[10] Resolution 34/180, annex.

22. *Calls upon* the Government of Cambodia to continue to take further measures to ensure adequate health conditions, with emphasis on ensuring such conditions for women and children and minority groups and on the problem of the human immunodeficiency virus/acquired immunodeficiency syndrome, and encourages the international community to continue to support the Government to this end;

23. *Commends* the continued efforts of the Government of Cambodia, together with non-governmental organizations, local authorities and United Nations bodies, to improve the quality of and access to education, calls for further measures to be taken in order to ensure the right of Cambodian children to education, especially at the primary level, in accordance with the Convention on the Rights of the Child,[11] and requests the international community to provide assistance for the achievement of this goal;

24. *Welcomes* the signing of the United Nations inter-agency memorandum of understanding with the Ministry of the Interior on Law Enforcement against Sexual Exploitation of Children, and encourages the Government of Cambodia to ensure the necessary law enforcement and other measures to tackle the problem of child prostitution and trafficking in Cambodia;

25. *Notes with serious concern* the problem of child labour in its worst forms, calls upon the Government of Cambodia to ensure adequate health and safety conditions for children and to outlaw, in particular, the worst forms of child labour, invites the International Labour Organization to continue to extend the necessary assistance in this regard, and encourages the Government of Cambodia to consider ratifying the 1999 International Labour Organization Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Convention No. 182;

26. *Also notes with serious concern* the prison conditions in Cambodia, notes with interest some improvements in the prison system, commends the continued international assistance to improve the material conditions of detention, and calls upon the Government of Cambodia to take the further measures necessary to improve prison conditions, especially with regard to providing the minimum standard of food and health care and meeting the special needs of women and children, including by strengthening the coordinating role of the Prison Health Department with the Ministry of Health, provincial authorities and non-governmental organizations working in this field;

27. *Urges* an end to racial violence against and vilification of ethnic minorities, including the ethnic Vietnamese, and also urges the Government of Cambodia to take all steps to prevent such violence, as well as to meet its obligations as a party to the International Convention on the Elimination of All Forms of Racial Discrimination,[12] inter alia, by seeking technical assistance;

28. *Welcomes* the actions taken by the Government of Cambodia to combat illicit logging, which has seriously threatened the full enjoyment of economic, social and cultural rights by many Cambodians, including indigenous people, expects these efforts by the Government to continue, and welcomes the progress made on the drafting of the new law on land;

29. *Also welcomes* the consideration by the Committee on the Rights of the Child of the initial report of Cambodia submitted under the Convention on the

[11] Resolution 44/25, annex.

[12] Resolution 2106 A (XX), annex.

Rights of the Child, asks the Government of Cambodia to follow up the recommendations made by the international human rights treaty bodies regarding the reports submitted by it, calls upon the Government to meet its reporting obligations under all other international human rights instruments, and requests the office in Cambodia of the High Commissioner to continue to provide assistance in this regard;

30. *Expresses grave concern* at the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of those mines and for victim assistance and mine-awareness programmes, and commends donor countries and other actors of the international community for their contributions and assistance to mine action;

31. *Expresses concern* about the large number of small arms in society and commends the efforts of the Government of Cambodia to control the spread of weapons;

32. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the High Commissioner, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing to the Trust Fund;

33. *Requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the role and achievements of the Office of the High Commissioner in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

34. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-sixth session under the item entitled "Human rights questions".

81st plenary meeting
4 December 2000

General Assembly

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28 February 2001

Fifty-fifth session
Agenda item 114 (*b*)

Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/55/602/Add.2 and Corr.1)*]

55/96. Promoting and consolidating democracy

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and reaffirming also that everyone is entitled to all rights and freedoms without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, as set forth in the Universal Declaration of Human Rights,[1]

Bearing in mind Commission on Human Rights resolutions 1999/57 of 27 April 1999[2] and 2000/47 of 25 April 2000,[3]

Recognizing the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights treaties and the foundation of any democratic society, and reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,[4] which states that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing,

Recalling that all peoples have the right to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling also that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights recommended that priority should be given to national and international action to promote democracy, development and human rights and that the international community should support the strengthening and promotion of democracy, development and respect for human rights and fundamental freedoms in the entire world,

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[1] Resolution 217 A (III).
[2] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.
[3] Ibid., *2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.
[4] A/CONF.157/24 (Part I), chap. III.

Recalling further its resolutions 53/243 A and B of 13 September 1999, containing, respectively, the Declaration and the Programme of Action for a Culture of Peace,

Recognizing and respecting the rich and diverse nature of the community of the world's democracies, which arise out of all of the world's social, cultural and religious beliefs and traditions,

Recognizing that, while all democracies share common features, there is no one universal model of democracy,

Reaffirming its commitment to the process of democratization of States, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming that good governance, as referred to in the United Nations Millennium Declaration,[5] is among the indispensable factors for building and strengthening peaceful, prosperous and democratic societies,

Aware of the crucial importance of the active involvement and contribution of civil society in processes of governance that affect the lives of people,

Recalling commitments undertaken by Member States for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Welcoming measures, such as decision AHG/Dec.141 (XXXV) adopted in 1999 by the Assembly of Heads of State and Government of the Organization of African Unity,[6] resolution AG/RES.1080 (XXI-091) adopted in 1991 by the General Assembly of the Organization of American States and the Moscow Document on the Human Dimension adopted in 1991 by the Conference on the Human Dimension of the Conference for Security and Cooperation in Europe, which commit Member States to taking certain steps in the event of an interruption of democratic government, as well as the Commonwealth Declaration adopted at the Commonwealth Heads of Government Meeting, held at Harare in 1991,[7] which commits members to fundamental democratic principles,

Commending the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of democratic societies in which individuals have the opportunity to shape their own destiny,

Noting the initiatives taken by the countries that participated in the first, second and third International Conference of New or Restored Democracies, held, respectively, at Manila in June 1988, Managua in July 1994 and Bucharest in September 1997,

Noting also the ministerial conference entitled "Towards a Community of Democracies", hosted by the Government of Poland at Warsaw on 26 and 27 June 2000,

Noting further the Forum on Emerging Democracies, held at Sana'a from 27 to 30 June 1999,

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[5] See resolution 55/2.

[6] See A/54/424, annex II.

[7] A/46/708, annex.

Noting that the fourth International Conference of New or Restored Democracies is scheduled to be held at Cotonou, Benin, from 4 to 6 December 2000, and also noting the initiative of the Government of Mali to host, at Bamako from 1 to 3 November 2000, following the Moncton Declaration adopted in September 1999 at Moncton, Canada, by the Eighth Summit of la Francophonie,[a] an international symposium at the ministerial level on the status of the practices of democracy, rights and freedoms in the French-speaking community,

1. *Calls upon* States to promote and consolidate democracy, inter alia, by:

(*a*) Promoting pluralism, the protection of all human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of effective public institutions, including an independent judiciary, accountable legislature and public service and an electoral system that ensures periodic, free and fair elections;

(*b*) Promoting, protecting and respecting all human rights, including the right to development, and fundamental freedoms, in particular:

(i) Freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media;

(ii) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right freely to express, preserve and develop their identity without any discrimination and in full equality before the law;

(iii) The rights of indigenous people;

(iv) The rights of children, the elderly and persons with physical or mental disabilities;

(v) Actively promoting gender equality with the aim of achieving full equality between men and women;

(vi) Taking appropriate measures to eradicate all forms of racism and racial discrimination, xenophobia and related intolerance;

(vii) Considering becoming parties to international human rights instruments;

(viii) Fulfilling their obligations under the international human rights instruments to which they are parties;

(*c*) Strengthening the rule of law by:

(i) Ensuring equality before the law and equal protection under the law;

(ii) Ensuring the right to liberty and security of person, the right to equal access to justice, and the right to be brought promptly before a judge or other officer authorized by law to exercise judicial power in the case of detention with a view to avoiding arbitrary arrest;

(iii) Guaranteeing the right to a fair trial;

(iv) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;

[a] A/54/453, annex I.

(v) Promoting the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;

(vi) Guaranteeing that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person;

(vii) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights, as well as effective protection for human rights defenders;

(viii) Including human rights education in the training for civil servants and law enforcement and military personnel;

(ix) Ensuring that the military remains accountable to the democratically elected civilian government;

(*d*) Developing, nurturing and maintaining an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:

(i) Guaranteeing that everyone can exercise his or her right to take part in the government of his or her country, directly or through freely chosen representatives;

(ii) Guaranteeing the right to vote freely and to be elected in a free and fair process at regular intervals, by universal and equal suffrage, conducted by secret ballot and with full respect for the right to freedom of association;

(iii) Taking measures, as appropriate, to address the representation of under-represented segments of society;

(iv) Ensuring, through legislation, institutions and mechanisms, the freedom to form democratic political parties that can participate in elections, as well as the transparency and fairness of the electoral process, including through appropriate access under the law to funds and free, independent and pluralistic media;

(*e*) Creating and improving the legal framework and necessary mechanisms for enabling the wide participation of all members of civil society in the promotion and consolidation of democracy, by:

(i) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interaction as a means of strengthening and developing democracy;

(ii) Fostering, through education and other means, awareness and respect for democratic values;

(iii) Respecting the right to freedom of peaceful assembly and the exercise of the right freely to form, join and participate in non-governmental organizations or associations, including trade unions;

(iv) Guaranteeing mechanisms for consultations with and the contribution of civil society in processes of governance and encouraging cooperation between local authorities and non-governmental organizations;

(v) Providing or improving the legal and administrative framework for non-governmental, community-based and other civil society organizations;

(vi) Promoting civic education and education on human rights, inter alia, in cooperation with organizations of civil society;

(*f*) Strengthening democracy through good governance as referred to in the United Nations Millennium Declaration[5] by, inter alia:

(i) Improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials;

(ii) Taking legal, administrative and political measures against corruption, including by disclosing and investigating and punishing all those involved in acts of corruption and by criminalizing payment of commissions and bribes to public officials;

(iii) Bringing government closer to the people by appropriate levels of devolution;

(iv) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;

(v) Fostering high levels of competence, ethics and professionalism within the civil service and its cooperation with the public, inter alia, by providing appropriate training for members of the civil service;

(*g*) Strengthening democracy by promoting sustainable development, in particular by:

(i) Taking effective measures aimed at the progressive realization of economic, social and cultural rights, such as the right to education and the right to a standard of living adequate for health and well-being, including food, clothing, housing, medical care and necessary social services, individually and through international cooperation;

(ii) Taking effective measures aimed at overcoming social inequalities and creating an environment that is conducive to development and to the elimination of poverty;

(iii) Promoting economic freedom and social development and pursuing active policies to provide opportunities for productive employment and sustainable livelihoods;

(iv) Ensuring equal access to economic opportunities and equal pay and other rewards for work of equal value;

(v) Creating a legal and regulatory framework with a view to promoting sustained economic growth and sustainable development;

(*h*) Enhancing social cohesion and solidarity by:

(i) Developing and strengthening, at the local and national levels, institutional and educational capabilities to resolve conflicts and disputes peacefully, including through mediation, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements;

(ii) Improving social protection systems and ensuring access for all to basic social services;

(iii) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations, as reflected in the core Conventions of the International Labour Organization;

2. *Requests* the Secretary-General to disseminate the present resolution as widely as possible.

81st plenary meeting
4 Decembre 2000

General Assembly

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Fifty-fifth session
Agenda item 114 (*b*)

Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/55/602/Add.2 and Corr.1)*]

55/97. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling article 18 of the Universal Declaration of Human Rights,[1] and article 18 of the International Covenant on Civil and Political Rights,[2]

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the United Nations Millennium Declaration,[3] in particular paragraph 4 thereof,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others, and in public or private,

Reaffirming the call of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[4]

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] See resolution 55/2.
[4] A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on religious intolerance to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[5]

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases in which the right to freedom of religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of his or her religion or belief, deprived of the right to life or the right to liberty and security of person, or subjected to torture or arbitrary arrest or detention;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance and to encourage, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if those limitations that are prescribed by law are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

6. *Urges* States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

7. *Calls upon* all States to recognize, as provided for in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on

[5] E/CN.4/1994/79, para. 103.

Religion or Belief,[6] the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

8. *Expresses its grave concern* at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert their utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

9. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief, and that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

10. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on religious intolerance,[7] and encourages continued efforts on the part of the Special Rapporteur, who was appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures, as appropriate;

11. *Welcomes* the decision of the Commission on Human Rights in resolution 2000/33 of 20 April 2000[8] to change the title of the Special Rapporteur from Special Rapporteur on religious intolerance to Special Rapporteur on freedom of religion or belief;

12. *Takes note* of the study presented by the Special Rapporteur to the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance at its first session, and encourages the Special Rapporteur to continue to contribute to the preparations for the Conference, which is to be held at Durban, South Africa, in 2001, on matters relating to religious intolerance that have a bearing on the World Conference;

13. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

14. *Welcomes* the initiatives of Governments and non-governmental organizations to collaborate with the Special Rapporteur, including by the convening of an international consultative conference on school education in relation to freedom of religion and belief, tolerance and non-discrimination, to be held at Madrid in November 2001, and encourages Governments, non-governmental organizations and other interested parties to participate actively in that conference;

15. *Encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance for the promotion and protection of the right to freedom of thought, conscience and religion;

16. *Welcomes and encourages* the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation and dissemination of the Declaration, and encourages their work in promoting freedom

[6] See resolution 36/55.

[7] See A/55/280 and Add.1 and 2.

[8] *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II., sect. A.

of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

17. *Requests* the Commission on Human Rights to continue its consideration of measures for the implementation of the Declaration;

18. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its fifty-sixth session;

19. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to enable him to discharge his mandate fully;

20. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-sixth session under the item entitled "Human rights questions".

81st plenary meeting
4 December 2000